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Provisional

4910th meeting

Friday, 6 February 2004, 10 a.m.

New York

President:	Mr. Wang Guangya	(China)
Members:	Algeria	Mr. Baali
	Angola	Mr. Lucas
	Benin	Mr. Adechi
	Brazil	Mr. Valle
	Chile	Mr. Maquieira
	France	Mrs. D'Achon
	Germany	Mr. Trautwein
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Gatilov
	Spain	Ms. Menéndez
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Cunningham

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/71)

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04-23161 (E)

The meeting was called to order at 10.15 a.m.

Expression of sympathy and condolences to the Government and the people of the Russian Federation in connection with the terrorist act in Moscow on 6 February 2004

The President (*spoke in Chinese*): I would like at the outset to express on behalf of the Security Council our outrage at the terrorist attack that occurred earlier today in Moscow, killing at least 39 people and wounding many more. The Council condemns that act of terrorism in the strongest terms possible. The Council expresses its sympathy and condolences to the victims and their families and to the Government of the Russian Federation. On behalf of the Council, I should like to request the representative of the Russian Federation to convey these sentiments to his Government and his people.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/71)

The President (*spoke in Chinese*): I should like to inform the Council that I have received letters from the representatives of Albania, Ireland and Serbia and Montenegro in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Perović (Serbia and Montenegro) took a seat at the Council table; Mr. Nesho (Albania) and Mr. Ryan (Ireland) took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in Chinese*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Harri Holkeri, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo.

There being no objection, it is so decided.

I invite Mr. Holkeri to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations. Members of the Council have before them document S/2004/71, containing the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

At this meeting, the Security Council will hear a briefing by Mr. Harri Holkeri, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK). I now give him the floor.

Mr. Holkeri: Before I start my presentation, may I say that I was profoundly shocked and dismayed by the news of the terrorist attack this morning in Moscow. Having had experience in Northern Ireland and now in Kosovo, I am not new to the issue of extremism. I would like to express my deepest sympathies to my Russian colleague.

The week before last, I met with a delegation of families of missing Kosovo Albanians as many more stood vigil in the snow in front of the headquarters of the United Nations Interim Administration Mission in Kosovo (UNMIK). They told me of their frustration at the slow progress on the return of the mortal remains of their loved ones from Serbia proper.

Similarly, I constantly hear about the grievances of the family members of missing Serbs who also want to know about the fate of their loved ones. Five years after the conflict, more than three quarters of the 3,566 people still missing are Kosovo Albanians, and nearly 18 per cent are Kosovo Serbs and Montenegrins. The remaining 4 per cent belong to other communities. Each side believes the authorities on the other side have information on the whereabouts of their loved ones. Both Kosovo Serbs and Kosovo Albanians demand that all those whose crimes resulted in the

disappearance of their loved ones, regardless of ethnicity, be brought to justice.

There must be faster progress to resolve this painful issue. One area where progress can be made is in the dialogue between Belgrade and Pristina. The issue of the missing is one of the four main practical issues that are supposed to be covered initially in the dialogue. The dialogue got off to a fitful start, due as much to disunity in the Kosovo Albanian camp as to the general preference of politicians in both Pristina and Belgrade to give precedence to domestic political issues. Four months after the launching of the dialogue at a plenary session in Vienna last October, the initial meetings of dialogue working groups might take place as early as February.

It is the responsibility of the Provisional Institutions of Self-Government, in cooperation with UNMIK, to actively and seriously engage without further delay in the direct dialogue with Belgrade. Dialogue constitutes a confidence-building measure as well as a demonstration of good will. The participants representing Pristina understand that the dialogue is a standard that must be fulfilled before Kosovo's future status can be resolved.

Through the dialogue, as well as through other channels, including possibly the High-Ranking Working Group, we also hope to be able to resolve long-standing disputes with Belgrade over parallel structures in Kosovo. Unfortunately, over the past few months, Belgrade has moved to extend and strengthen the presence of its parallel structures in Kosovo. Little is likely to change unless we respond to the challenge.

Another dialogue topic is the issue of returns, an issue about which the Council has regularly been informed. Suffice it to say that building on the gradual progress made in 2003 and on the substantial improvements in both the political climate and the operational framework for returns, prospects for returns in the coming year are encouraging. But as 2003 also demonstrated, the situation in Kosovo remains fragile, and those prospects must be nurtured in order to flourish.

Real movement on returns in 2004 will depend both on continuing improvement in the security and freedom of movement situation in Kosovo and on the extent to which the people and leaders of Kosovo dedicate themselves to working with the displaced to support sustainable returns. It will also depend upon the constructive position of the Belgrade authorities and the continuing commitment of the international community.

I want to mention another issue that is vital for progress in Kosovo. Privatization is moving forward in line with the guidance provided by the United Nations Office of Legal Affairs last November. I continue to discuss this crucial issue intensively with the Prime Minister and the Provisional Government. I intend that the procedures for the Kosovo Trust Agency should be improved. The privatization process is essential for economic growth in Kosovo; I am determined that it should continue.

With regard to financial irregularity and corruption, which emerge from time to time, I wish to assure the Council that UNMIK gives very serious attention to these matters. The recently promulgated Criminal Code, Criminal Procedure Code and Customs Code, as well as legislation being promulgated on the prevention of money-laundering and related criminal offences, will provide new tools for tackling economic and financial crime.

Various tools and mechanisms have been set up to conduct administrative inspections and financial investigations to identify fraud and corruption. The Auditor-General's Office is in place and is about to become operational. It will promote transparency and accountability in the management and performance of governance in Kosovo. An Investigation Task Force has recently been established, composed of representatives of the Financial Investigation Unit, the United Nations Office of Internal Oversight Services and the European Anti-Fraud Office. The European Union has provided valuable financial and other support for these important initiatives. I have repeatedly emphasized that there will be a policy of zero tolerance with regard to fraud, corruption and financial irregularities. With the new legislation and mechanisms, UNMIK is now well equipped to address the challenges that it faces in this field.

Significant progress has been made in the area of civil aviation, which will allow for a smooth transition to civilian control. With the assistance of the International Civil Aviation Organization, a Civil Aviation Regulatory Office has been established and a comprehensive legislative framework is being finalized to assure compliance with international civil aviation standards and practices. Iceland has graciously agreed

to support the United Nations by assuming, on UNMIK's behalf, certain essential civil aviation functions necessary for operations at Pristina airport. I signed an agreement in principle on this subject with Iceland last week.

I should like to refer briefly to the forthcoming Kosovo-wide elections. It is envisaged that they will be held in October this year. Preparations are well under way, with the help and under the leadership of the Organization for Security and Cooperation in Europe.

The implementation of standards is the core political project for UNMIK. I am determined that Kosovo should make progress on the standards, and I am confident that it will. We now have a clear political target, set out in the document "Standards for Kosovo", which I launched with the Provisional Institutions of Self-Government in Pristina on 10 December last year and which was subsequently endorsed by the Security Council. What we now need to do is to reach that target.

When I arrived in Kosovo in August, it was clear to me that UNMIK needed to turn over a new leaf in its relationship with the Provisional Institutions. There needed to be partnership, rather than imposition. Partnership is very much the philosophy of my approach with the Government on standards. The standards are for all of Kosovo. The Provisional Institutions should be in the lead, with UNMIK supporting them and ensuring that the process stays on track. Our most urgent task is to produce an implementation work plan, setting out clearly the actions necessary to reach the standards. In the working groups, where the Government and UNMIK are sitting side by side, we are working intensively to produce this work plan. It will set out in clear detail what actions need to be taken to reach the eight standards, who will take them and when these actions should take place.

This task is demanding and complex for UNMIK, and even more so for the Provisional Institutions. Production of the work plan requires consultations with many actors, both inside and outside Kosovo. This is the first time that a project like this has been undertaken in Kosovo, and it is a learning process for many of the ministers and officials involved. But it is well on its way. I hope that we shall very soon have a draft plan to present to the Council. I am sure that the Council would agree that it is more important to have a high-quality and effective work plan than to rush this crucial task.

I want to say an important word about Kosovo Serbs and their non-participation in this process. I am personally very disappointed that there continue to be no Serb representatives in the implementation working groups. My officials and I have met the coalition of Serb parties in Kosovo — the Coalition Return — on many occasions, including in the past few weeks and days. The purpose of our meetings was to underline to them that the best way for them to protect and promote their interests in Kosovo is to take part in the implementation process. The starting point is to take part in the production of the work plan.

Their principal concern — that the standards process is undermining resolution 1244 (1999) and prejudging future status — is wholly unfounded. Nor are they right to fear that their concerns and interests will be sidelined in the implementation process. UNMIK is there to ensure that the interests of all communities are fairly and fully represented. The Prime Minister has issued a clear invitation to them to participate in all the working groups.

It is clear that some representatives of the Serbs in Kosovo understand and accept these arguments and are willing to participate in the working groups. But they are looking to Belgrade to endorse that view. It does not help that there is still no government in Belgrade. I hope that the Council will strongly support my view that the best way forward for all communities in Kosovo is participation by all communities in the standards process.

The standards implementation process will go ahead as the Council has asked. Even as the implementation plan is under preparation, the real work — to turn the standards into reality — is already under way. UNMIK's focus on this task is intense. We are working with the Provisional Institutions to ensure that they too are similarly committed. For it is the commitment of Kosovo's leaders, in the Government and down to the municipalities, that is crucial to making progress.

In Kosovo, the President and the Prime Minister and his Government are working hard to implement the standards. But I am sorry to report that some politicians in Pristina are not demonstrating the wholehearted commitment that the Council and the international community are hoping for. I call on them

today to show that commitment, for those who are not part of the standards process are letting down the people of Kosovo and will play no part in Kosovo's march towards a better future, including in paving the way for the determination of future status.

The Council has now endorsed the mechanism for a review of progress on standards in mid-2005. That was the right decision. "Standards before status" needed a timetable. Kosovo's undetermined status helps no one in Kosovo, and it needs to be resolved sooner rather than later. It is my job to make sure that the Provisional Institutions make real progress on the implementation of the tough standards that have been set in the document, "Standards for Kosovo". The leaders of the Kosovo Institutions are determined to do so, and can count on my full support.

Members of the Council have received the report of the Secretary-General on UNMIK for the last quarter of 2003 (S/2004/71). It is a comprehensive account of the developments in Kosovo and the progress of the Mission in implementing its mandate under Security Council resolution 1244 (1999). It covers all major aspects of UNMIK's activities.

I should like to emphasize only one thing. Neither the Provisional Institutions nor UNMIK will be able to achieve the high goals that we have set out for Kosovo without the Council's robust and consistent political and material support. Only through such support will we be able to attain our common objective of a democratic, tolerant, multi-ethnic Kosovo that will be at peace with itself and with the rest of the region. To achieve that objective, progress on standards is essential. And that will require, above all, the hard work, leadership and commitment of the leaders and the people of Kosovo.

The President (*spoke in Chinese*): I thank Mr. Holkeri for his briefing.

Mr. Akram (Pakistan): I should like to commence my statement by expressing Pakistan's complete condemnation of the horrible terrorist attack that occurred earlier today in Moscow, killing 39 people. We express our deep condolences to the bereaved families and to the Government and the people of the Russian Federation.

Since this is the first opportunity I have had to speak in a Council meeting during the current month, let me take this opportunity to express the happiness of Pakistan and my own happiness at seeing you, Sir, preside over the Council during the month of January. We are confident that, with your renowned diplomatic skill, you will guide us to success on the many important issues we will consider during your presidency. I also wish to express the high appreciation of the Pakistan delegation to Ambassador Muñoz for Chile's successful and busy presidency last month.

This morning, we should again like to welcome Mr. Holkeri, Special Representative of the Secretary-General for Kosovo, to the Security Council and to thank him for briefing us once again. We share the vision, which Mr. Holkeri expressed last December, of a better Kosovo,

> "a place where people are free to travel, use their own languages and work anywhere in Kosovo, a place where your ethnic identity — whether Albanian, Serb, Turk, Bosniak, Roma, Gorani, Ashkali, Egyptian or Croatian — has no effect on the way you are treated at work, in the street or in a court of law".

As a member of the Council and as a contributor of troops to the United Nations Interim Administration Mission in Kosovo (UNMIK), Pakistan will continue to support Mr. Holkeri in promoting the implementation of the provisions of resolution 1244 (1999).

We look forward to studying the work plan that UNMIK is drawing up for the implementation of the eight standards identified in the standards document. We take note, however, of the difficulties Mr. Holkeri is encountering in drawing up the work plan. It is as much in the interests of the Kosovo Serbs to participate in the working groups as it is in the interests of the Provisional Institutions to offer Mr. Holkeri its fullest cooperation on all issues. It is, in fact, in the interests of all sides to work towards the implementation of the standards document. Nevertheless, we urge Mr. Holkeri and UNMIK to find ways to expedite the drawing up of the work plan. It is too important to become a hostage to the intransigence of one side or the other. As Mr. Holkeri has himself warned, inaction could leave Kosovo a crippled society, perhaps for years to come.

While it is important to address all the eight standards, in our opinion the three key areas deserving urgent priority are the economy, the rule of law and sustainable returns and its connected issues: freedom of movement, the reintegration and return of refugees and displaced persons, and property rights. Freedom of

movement for individuals and the right to return in safety and dignity are basic rights of all refugees, and not just in Kosovo; they are rights that need to be addressed everywhere. Similarly, peace and development are indivisible. Peace cannot be sustained without sustained socio-economic development in Kosovo, as in similar situations. Finally, the rule of law is of particular importance for Kosovo, not only because of the violence associated with past ethnic aggression, but also because of the endemic transnational crime that continues to infect much of the Balkan region.

The issue of dialogue between Belgrade and Pristina remains central. We would strongly encourage such a dialogue. We welcome the willingness of the Provisional Institutions to move ahead in their area, and we look forward to the establishment of a new Government in Belgrade that will take up the offer. That will be a first step in building confidence between the two sides; it is, of course, an indispensable step to enable them to effectively address the difficult but important issue of status. The dismantling of parallel institutions, which continue to undermine peace and reconciliation in Kosovo, is also essential in the confidence-building process.

We look forward to the Kosovo elections in October, and we hope that all communities — in particular the Kosovo Serbs — will participate fully in that exercise.

Pakistan's reservations on the "standards before status" issue are well known. We do not wish that approach to become a precedent in similar situations in other parts of the world. While we agree that the United Nations Mission in Kosovo has a mandate to implement the "standards before status" policy, that should not preclude the Security Council's discussing the status issue and constructively approaching it with a view to finding a just and lasting solution. We should at least begin to do so before the May 2005 target date set by the standards document.

I should like to make one final observation. We have noted recent remarks — including those by Mr. Holkeri — to the effect that the future of Kosovo lies in the European family. We have no doubt that it does. But Kosovo does not belong to Europe alone; it has a culture and a history that extend beyond Europe. Therefore, the process of building peace and of fostering reconciliation and prosperity in Kosovo cannot become an exclusively European process. In particular, we urge both Mr. Holkeri and the Contact Group on Kosovo to work with the Organization of the Islamic Conference to ensure that the solution for Kosovo is a genuinely international solution, especially since Kosovo remains under United Nations transitional administration. The involvement of the maximum number of partners cannot but help to ensure that the process of peace, reconciliation and reconstruction will be a success.

The President (*spoke in Chinese*): I thank the representative of Pakistan for the kind words he addressed to me.

Mr. Adechi (Benin) (*spoke in French*): My delegation would like to congratulate you warmly, Sir, on your assumption of the presidency of the Security Council and to assure you of its cooperation. We would like also to congratulate your predecessor, Ambassador Muñoz of Chile, who so ably and skilfully guided our work in January.

We listened very carefully to the very comprehensive statement made by Mr. Harri Holkeri on the report of the Secretary-General on the United National Interim Administration Mission in Kosovo (UNMIK). It was indeed an excellent and very relevant statement. We would like here to pay well-deserved tribute to Mr. Holkeri and to his team for their firm commitment to discharging the responsibilities entrusted to UNMIK, whose work is proving particularly helpful in stabilizing the situation in Kosovo. His comprehensive and personal account has shown us clearly where significant progress has been made and has allowed us to identify those areas where less positive developments have taken place — areas that require effective improvements.

In that respect, the information provided makes clear the effectiveness of the review mechanism. We welcome the concrete steps that have been taken to support Kosovo as it works to establish functioning democratic institutions that would bring together all of the inhabitants of the province.

From that perspective, we would stress the importance of multi-ethnic representation and of inclusiveness, as well as the need to take account of the vital interests of minorities and to safeguard their cultural and identity rights.

The ongoing development of the domestic legal order in Kosovo through the adoption of new legislation is to be encouraged, as the goal is to establish the provincial administration on a very sound footing at the central and municipal levels, as part of decentralization. We believe that UNMIK should ensure that the established allocation of competencies is respected. Likewise, a sustained effort must be made to strengthen the apolitical nature of the Kosovo administration and to avoid the development of two parallel administrations in the province, due to Belgrade's continued support for Serb populations in many areas.

We take note of the progress made in establishing and strengthening the rule of law. The continued strengthening of the Police Service and the judiciary of Kosovo, through the inclusion of minorities and gender mainstreaming, which help to broaden the social base, are essential in order to improve the security situation. That goal is also tied in with UNMIK's regional approach in combating organized crime.

The progress made in these areas could have a decisive impact in helping to normalize the situation vis-à-vis freedom of movement and a noted speeding up of sustainable returns, which can also be encouraged by the restoration of essential public services.

Furthermore, the Secretary-General's recommendation on the transformation of the Kosovo Protection Corps into a disciplined civil emergency agency merits careful study, particularly as concerns the structural relations between that entity and the Kosovo Police Service. We would like to know if such a study is envisaged.

The economic situation in Kosovo, which the Secretary-General described as one of the poorest economies in a poor region, is indeed difficult, requires that the international community provide greater financial assistance in order to ensure sustained economic growth in the province. In that respect, the unemployment rate in the province is particularly worrisome and there is a need to step up the necessary reforms to eliminate those factors that are slowing growth, including in terms of the electrical supply, the investment climate, proposed privatizations, the precarious situation as concerns property rights, and, of course, the combat against fraud and misappropriations of resources.

The province's relations with Belgrade must be normalized. This could be helped by the restoration of working relations with the Provisional Institutions in Kosovo. My delegation welcomes the open attitude of the Belgrade authorities vis-à-vis the inter-ethnic dialogue. Such a dialogue must be cross-cutting and encompass the greatest possible number of aspects of the Kosovo Administration.

In that respect, UNMIK must step up its work in mediating among the various communities, with a view to adopting a work plan to ensure the consistent implementation of the standards before status policy. Every opportunity for peace must be seized quickly in order to strengthen the process under way.

On behalf of my delegation, I should like to take this opportunity very strongly to condemn the heinous terrorist attack in the Moscow subway. We extend our sympathy to the bereaved families and to the people of Russia.

Sir Emyr Jones Parry (United Kingdom): At this, the first public meeting, I should like, Sir, to wish you every success as President of the Council. I should like also to thank Ambassadors Muñoz and Maquieira for their past stewardship of the Council.

I, too, wish to associate myself with the sympathy expressed earlier to the Russian Government, and indeed we should condemn all such acts of terrorism against innocent people, wherever they may take place. I should like to associate myself with the remarks to be made later by Ambassador Ryan on behalf of the Presidency of the European Union.

I thank Mr. Holkeri for his report and for the contribution that the United Nations Interim Administration Mission in Kosovo (UNMIK) is making in Kosovo. There has been much progress in Kosovo since the establishment of UNMIK, but there is clearly much more to do. I should like to set out five simple points.

First, all politicians in Kosovo need to show a greater commitment to, and to assume real responsibility for, sustainable progress in the province. They should manifest a determination to improve the lives of all Kosovo's people. We think that it is time for all Kosovo politicians fully to support a common agenda and the agreed standards. Those standards include dialogue between Belgrade and Pristina, and the Provisional Institutions of Self-Government should

establish delegations for that dialogue, and in particular for the working groups, without further delay.

Secondly, ownership carries with it responsibilities. The United Kingdom expects the Provisional Institutions of Self-Government to demonstrate their capacity to govern, their concern for all of Kosovo's citizens and their commitment to reform, in line with European integration — in short, to fulfil the responsibilities they already have. Only then should we be ready to consider suggestions of their taking on further responsibilities.

But those responsibilities in the Constitutional Framework that would normally be reserved for States cannot be transferred pending the settlement of Kosovo's future status — its final status. We would welcome attendance by the Provisional Institutions of Self-Government at the quarterly review meetings in the Security Council, provided that any delegation is strictly multi-ethnic. But in saying that, the PISG should recognize and appreciate the fact that the Council will expect such representation to be accompanied by tangible progress.

Thirdly, Mr. Holkeri dwelled on standards for Kosovo, set out within the framework of resolution 1244 (1999), which remain, in our view, the only way forward for a settlement which would eventually provide for European integration. Non-participation by the Kosovo Serbs in the standards and implementation working groups is not consistent with those aims. Belgrade should not, for its part, obstruct their attendance. Rather, it should encourage their participation.

None of this is taking place in a vacuum. On 12 December, this Council endorsed an approach which introduced a review mechanism for progress on standards. It comprised the following elements: the Provisional Institutions of Self-Government's progress on implementing the standards will be reviewed quarterly; the Special Representative will report back, through the Secretary-General's reports to the Council, on progress made in each reporting period; and the formal review in mid-2005 — or earlier if progress warrants — will serve as a basis upon which to decide whether to begin a process to determine Kosovo's future status in accordance with resolution 1244 (1999).

There is nothing, as I see it, automatic about that process. If Kosovo has made the necessary progress on the standards, then a process will begin to determine the final status in accordance with resolution 1244 (1999); but if it does not pass the review on that date, then there will have to be another review at a later date. If I may, I should like to underline one very simple message. There will be, in the United Kingdom's view, no decision on process or outcomes of status discussions until the standards are met. All final status options remain on the table within the principles of full observance for democracy, human rights, multi-ethnicity and minority representation.

Along with that, however, there are two key points to be stressed. The assessment will be negative if insufficient progress is made, and the process will not be derailed because some on either side object to it. Extremists have had their day in the Balkans and those who obstruct progress, in our view, deserve no say in the future of Kosovo.

Fourthly, we very much welcome the joint efforts of the United Nations and the European Union to tackle corruption. A strong, coordinated approach by both bodies lies at the heart of tackling that problem. Investigative and remedial action are equally important. We welcome, therefore, the recommendations made by the Office of Internal Oversight Services in its report. We cannot expect local communities to live up to their responsibilities if the international community is not to live up to its own. The United Nations and the European Union have our continued and full political support in that regard.

Fifthly and lastly, UNMIK is a very large mission. It represents a very significant investment for the United Nations and for the international community. In 2004-2005, it will comprise some 8,000 staff members, costing about $270 million. UNMIK's role has changed since its inception in 1999. The demands are now very different. I think it is now incumbent upon all of us — and I know that Mr. Holkeri takes this particularly seriously himself — to make sure that the structures we have deliver against the challenges of today. The priority is clear — progress on standards — and, with the completion of the transfer of competencies under chapter 5 of the Constitutional Framework, UNMIK should look at whether its resources are as well directed as they should be or whether, indeed, there is scope for change as part of a natural review of every organization. The challenge for UNMIK, with the assistance of the Department of Peacekeeping Operations, is to make

sure that it adapts to meet, efficiently and cost-effectively, our shared objectives for the future benefit of Kosovo and for all Kosovars.

The international community has demonstrated its commitment to Kosovo and it remains so committed. We are committed to a better future for South-East Europe. The international organizations as a whole pretty well are heavily involved in the province. It is now time for the partnership with the Kosovars to evolve, to reduce the dependence upon the external players, and for greater ownership by the people of Kosovo. However, that requires, crucially, responsibility and a commitment to the ideals and the standards that have been set out. That is what we now expect of the Kosovars.

The President (*spoke in Chinese*): I thank the representative of the United Kingdom for his kind words addressed to me.

Mr. Maquieira (Chile) (*spoke in Spanish*): At the outset, may I congratulate you, Sir, on your assumption of the presidency of the Security Council and wish you every success.

On behalf of my delegation, I should like briefly to thank others for their kind words addressed to us in connection with our presidency.

I should like to extend to the Russian delegation our most sincere condolences over the attack that took place in Moscow and to ask it to convey them to the authorities of their country and to the people affected.

It is always a pleasure to have Mr. Holkeri here with us and to hear him speak. I thank him very much for his statement this morning, in which he told us of the situation on the ground in Kosovo in recent months. He knows, from our many statements in the past, that our delegation supports him and the staff of the United Nations Interim Administration Mission in Kosovo (UNMIK) as they carry out their mandate under resolution 1244 (1999). The success of the "standards before status" policy requires concrete progress with respect to standards. We therefore believe it to be extremely helpful to have a work plan that allows us to measure the extent to which those standards are being met. It is also useful that UNMIK and the Provisional Institutions of Self-Government are currently meeting in working groups on those standards. We trust that the Serb representatives will soon join those working groups.

We also endorse the focus on undertaking future assessments and agree with Mr. Holkeri on the need for the Provisional Institutions, within their sphere of competency, to be held accountable for progress made towards attaining the standards. Similarly, we eagerly await the results of the periodic reviews and, ultimately, the full assessment of progress made by the Provisional Institutions as they proceed to implement the standards. That will have a crucial impact on progress towards determining the moment to launch the statutory process and the future status of Kosovo, in accordance with resolution 1244 (1999).

It is essential that the Provisional Institutions become truly multi-ethnic and that the leaders of Kosovo not be distracted by symbolic issues from their fundamental task of improving the day-to-day lives of the inhabitants. We also think it necessary that the Kosovo Assembly keep within its competencies established in the Constitutional Framework. We reiterate that unless there is a significant, sustainable return of internally displaced persons and refugees, unless there is adequate freedom of movement, unless the parallel institutions vanish, it will not be possible to build a multi-ethnic, democratic society that will be able to bring together all of the inhabitants of Kosovo without any kind of exclusiveness.

There must be no further intimidation or violence, particularly against minorities. We thus deplore the violence against the Serbian community in Kosovo. We trust that the parties will reach a satisfactory and timely agreement on transparent modalities for privatization and that this will have a positive impact on economic growth and development in the region. The complete transfer of non-reserved responsibilities to the Provisional Institutions under Chapter 5 of the Constitutional Framework has been encouraging.

Lastly, the dialogue between Belgrade and Pristina and the greater communication between UNMIK and the Kosovo Assembly will undoubtedly help secure a better situation for the people of Kosovo.

The President (*spoke in Chinese*): I thank the representative of Chile for his kind words addressed to me.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): At the outset let me express our appreciation to members of the Security Council and the Special Representative of the Secretary-General, Mr. Holkeri, for their condolences with respect to the terrorist act

that took place in Moscow. We will convey those words of condolence to the Government and people of Russia.

We welcome you, Mr. President, to preside over the Council this month and wish you every success at this post. We also express our gratitude to the Ambassador of Chile, Mr. Muñoz, and the entire delegation of Chile for their skilful leadership in the Council in January.

We express our appreciation to the Secretary-General for his report on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK), and also to the UNMIK head, Mr. Holkeri, for the detailed briefing on the situation in the province. We note the attendance at today's Council meeting of the Assistant Minister for Foreign Affairs of Serbia and Montenegro, Mr. Perović.

The assessments in the report and the statement of the Special Representative greatly coincide with our view of the processes under way in Kosovo. The central development at this phase of the Kosovo settlement was the launching of the mechanism to review implementation, by the Provisional Institutions of Self-Government, of standards established by the international community for implementation of Security Council resolution 1244 (1999) on the basis of the "standards before status" policy, and also of legislation now in effect in the province. It is important that this process be implemented with the United Nations taking a leading role and under the close political leadership of the Security Council.

The "Standards for Kosovo" document endorsed by the Council in the presidential statement of 12 December 2003 (*S/PRST/2003/26*) sets out a set of criteria the implementation of which will be compelling evidence of movement in the province towards establishing a multi-ethnic and democratic society, a society in which equal human rights must be ensured, including security, freedom of movement and return to their homes by all representatives of all communities of Kosovo, regardless of their ethnic origins. This is specifically why we support the clearly stated position of the Secretary-General and the UNMIK leadership that any attempts to blur or ease standards under pressure from any quarter are unacceptable.

We agree with the Secretary-General's view of that movement forward in the Kosovo settlement is not possible without achieving progress on standards. Considerable effort is still called for in this respect. The Provisional Institutions of the province clearly have the responsibility for implementation of the standards in their spheres of competences. Here, as is clearly underscored in the Secretary-General's report, statements by provincial leaders, including with respect to their commitment to multi-ethnicity, must be borne out by genuine actions. Unfortunately, we see that in practice the interests of the minorities continue to be frequently ignored. Key requirements regarding the situation of non-Albanian inhabitants of Kosovo are not being implemented with respect to the return of refugees or internally displaced persons. There is no reliable or equal security for the entire population of the province, nor are there universally equal fundamental rights and freedoms, including the right to fair conditions of employment. There is no adequate representation of minorities, above all Serbians, in the structures of the Provisional Institutions of Self-Government.

Like other Council members, we are certain that without radical improvement of the situation the process of building a democratic, multi-ethnic society in Kosovo will remain stalled.

We share the Secretary-General's concerns over attempts by the leadership of the Provisional Institutions in the province and in the Kosovo Assembly to overstep their authority, to persistently overlook the interests of the minorities and even to challenge the authority of the Special Representative of the Secretary-General. We believe that such unacceptable actions are evidence of an effective disengagement of the Kosovo Albanian leaders from implementation of the international community's standards for Kosovo.

We anticipate that UNMIK will rapidly complete preparation of the plan for implementing the standards, a plan that details the necessary specific steps for the implementation of the "Standards for Kosovo" document. We look forward to the presentation of the draft plan to the Council and are ready to constructively consider it. We welcome the Secretary-General's decision to report quarterly to the Council as part of the review mechanism on progress of the Provisional Institutions in implementation of those standards. Such reporting is necessary, since it is the basis on which the Council will be able to objectively assess movement towards implementation of the standards. We share the view of the importance of

constructively involving all Kosovo communities in the preparation of the plan and subsequently in its implementation. We note the work of UNMIK in this areas. Clearly, there is still a lot to be done.

An essential element in the "Standards for Kosovo" document is the establishment of a direct dialogue between Belgrade and Pristina on practical issues of mutual interest. We welcome the Special Representative's efforts in this direction. We anticipate a rapid naming of delegations of the parties to all four working groups and their beginning their work within the time frame set by Mr. Holkeri.

An important component of efforts to advance the Kosovo settlement will also be to bolster a constructive dialogue between UNMIK and Belgrade. One channel for this could be the high-level Belgrade-UNMIK working group established in 2001. Launching the political process meant to determine the final status of Kosovo must be conditioned on implementation of the standards established by the international community and the construction in the province of a democratic, multi-ethnic society.

We share the view that the implementation of the standards in the province and a positive outcome to the comprehensive review of their implementation — the first opportunity for which could be in mid-2005 — will not automatically trigger the political process determining the province's final status. We believe that the Security Council must take the decision to begin that process. As a permanent member of the Security Council and as a participant in the Contact Group, Russia intends to continue to participate actively in the overall efforts to seek a just, balanced and lasting settlement to the Kosovo issue.

Ms. Menéndez (Spain) (*spoke in Spanish*): My delegation associates itself with the condemnation that you, Mr. President, made on behalf of the Security Council with respect to the brutal terrorist attack in Moscow and with the condolences conveyed to the Government and the people of Russia.

We congratulate you, Sir, on your assumption of the presidency of the Council, and we congratulate Chile on its endeavours in the presidency last month.

My delegation fully associates itself with the statement to be made by Ireland on behalf of the European Union.

Our thanks go to Mr. Holkeri. Spain joins in his appeal to all leaders and communities of Kosovo to participate in the process and to achieve the full attainment of the standards. It associates itself with others in urging all actors to participate fully in that process.

Mr. Holkeri's briefing reveals a mixed reality of bright and dark patches. It revealed that there has been progress in some areas and worrisome stagnation in others. For example, there have been improvements in the security situation, on property rights and on some legislative and economic issues. But it is very clear that much remains to be done on privatization, refugee returns, the direct dialogue and the treatment of minorities, which are crucial elements of the standards.

The publication on 10 December 2003 of the "Standards for Kosovo" document was a milestone for the region. It sets forth on paper, clearly and precisely, the political objectives that the international community desires for Kosovo. At the same time, it reaffirms the principles of "standards before status", which underpins the entire philosophy. The document also revives a process that had been somewhat dormant by providing a renewed frame of reference for the personnel of the United Nations Interim Administration Mission in Kosovo (UNMIK) deployed in the area and for the local authorities, who have welcomed the document. Once it is made public, the implementation plan will be the complementary document necessary for attaining the ambitious objectives set out in the "Standards for Kosovo" document. It will enable the Security Council to have up-to-date and detailed information on the developments on the ground.

In that connection, Spain believes that the delay apparently to occur in the document's publication will be detrimental for UNMIK itself — having stated a deadline that was not met — and for the process itself, given the limited time at our disposal. In other words, we have barely 15 months, with, let us not forget, two electoral processes to take place in that time. However, those will not be substantial problems if the plan comes out soon — as has been announced on several occasions — and if the premises the entire peace process has been based so far are respected.

Here, I shall reiterate some of those premises that Spain believes must be taken into account in the coming months. First, it is important to note that the plan is not, and should not be, a joint document of

UNMIK and the Provisional Institutions of Self-Government. Rather, it should provide a practical method for complying with, implementing and evaluating the standards established by the international community.

Secondly, implementation of the standards does not prejudge either the decision the Security Council must take on the beginning of the status process or the future status of the territory, as the Secretary-General very clearly notes in his report (S/2004/71). Rather, implementation of the work plan is a necessary condition for creating a reasonable, democratic climate so that the dialogue can take place in a legitimate manner.

Thirdly, it is our understanding that the plan's objective is to measure actual progress made in implementing resolution 1244 (1999). One of the requirements that most concerns us is progress in the direct dialogue with Belgrade. We support Mr. Holkeri's appeal to the parties to ensure that all working groups can begin their work as soon as possible.

Finally, we must not forget that our common objective is to restore a multi-ethnic Kosovo that is based on values such as tolerance and mutual respect and that can freely decide its own future. The Provisional Institutions, in particular the Kosovo Assembly, have a very special responsibility for the success or failure of that process. We urge them to make progress on the establishment of an apolitical administration with the participation of minorities at all levels, including the Kosovo Protection Corps, and on the economic recovery of Kosovo by means of an equitable legal framework and a fair privatization policy. As well, we appeal to the Kosovo Serbs to participate constructively in this process, one which, we recall, has the support of the entire international community.

The President (*spoke in Chinese*): I thank the representative of Spain for her kind words addressed to me.

Mr. Cunningham (United States of America): Let me join in congratulating you, Sir, on your assumption of the presidency and in commending Ambassador Muñoz and his delegation on their effective work last month on our behalf.

We also extend our condolences to the Government and the people of Russia over the terrible terrorist attack today in Moscow. We condemn it and all such attacks.

I also thank the Special Representative, Mr. Holkeri, for his comprehensive assessment of the situation in Kosovo. The Special Representative is doing an admirable job in a period when key policy initiatives are being implemented in Kosovo, and he enjoys my Government's unqualified support. I also welcome the participation today of Assistant Foreign Minister Perović.

We are entering the beginning phases of a review mechanism that will assess Kosovo's progress in implementing the eight internationally endorsed standards, a mechanism initiated by the Contact Group and now being carried out under the auspices of the Special Representative.

The Security Council welcomed the review mechanism in its presidential statement of 12 December (S/PRST/2003/26). My Government fully supports that review mechanism. It is meant to spur Kosovo's implementation of the eight standards of the United Nations Interim Administration Mission in Kosovo (UNMIK), which represent the only path for Kosovo to take to normalize economic and political conditions, to create a secure environment for the return and reintegration of internally displaced persons and refugees, to create a truly multi-ethnic society, to establish normal relations with Belgrade and other neighbouring areas and, finally — if sufficient progress has been made — to proceed to a process of determining its future political status.

I would like to emphasize that of the eight standards on the basis of which Kosovo's progress will be evaluated, those affecting the securing of Kosovo's multi-ethnic future must have uppermost priority.

The Special Representative today informed the Council about progress in drafting an implementation plan. This plan is a crucial guide to the review mechanism approved by the Council last December. It is essential, therefore, that the plan be presented soon so that all actors involved have the necessary markers and guideposts to direct them in implementing the standards.

For the standards implementation process to be truly effective, it should involve all parties and

communities in Kosovo. In that regard, we note with approval the participation of elements of the Provisional Institutions of Self-Government in the working groups that the Special Representative has convoked to implement the standards. We commend Prime Minister Rexhepi for his leadership in this regard and urge both him and the ministers in his Government to participate actively and without reservation in the standards implementation working groups, and to follow up with concrete action once the implementation plan has been presented.

In this context, I would note that the United States does not support the transfer of so-called reserved competencies to the Provisional Institutions of Self-Government at this time, although there is ample room for greater participation by local government institutions in decision-making in those areas, while leaving ultimate authority to UNMIK.

It is also important that the Kosovo Serb community participate in the working groups for standards implementation, accepting the Special Representative's longstanding invitation to do so. Participation in the working groups is the best way for the Kosovo Serbs to represent their interests, and in that way the Serb community of Kosovo can take its rightful place in shaping the future of Kosovo as a multi-ethnic society. We urge the Serb community of Kosovo to engage in this process.

The direct dialogue between Belgrade and Pristina is one of the eight standards on which there can and should be immediate progress. The Secretary-General noted in his report that the introduction of the review mechanism has created a new more favourable environment for the Provisional Institutions of Self-Government to accept participation in the direct dialogue. We call on the Provisional Institutions of Self-Government to participate fully in the direct dialogue and for the Government in Belgrade to continue to participate.

We note with special concern the reference in the Secretary-General's report to the entrenchment of so-called parallel institutions in Kosovo: institutions maintained by the Government of Serbia outside the governing institutions of Kosovo provided for in resolution 1244 (1999). These institutions undermine the efforts of legitimately elected officials and are harmful to intercommunal relations. We call on the Government in Belgrade to bring these institutions under the purview of UNMIK and the Provisional Institutions of Self-Government or to abolish them altogether.

We would like to see Kosovo make sufficient progress so that the international community can produce a positive review in mid-2005, enabling us to proceed to determine Kosovo's future status. However, the international community should not and must not flinch from judging the situation objectively. If Kosovo's institutions choose to approach the standards process half-heartedly, the international community and the United Nations must not hesitate to issue a negative assessment and postpone the process to determine future status. In the meantime, the United States will continue to do all it can to assist institutions in Kosovo in implementing the internationally endorsed standards.

I would like to thank Mr. Holkeri again for his briefing and for the work that he and his team are doing in Kosovo. I would like to reiterate my Government's unqualified support for his efforts.

The President (*spoke in Chinese*): I thank the representative of the United States for his kind words addressed to me.

Mr. Trautwein (Germany): I should like first of all to express the deep shock of my Government at this morning's attack on the metro in Moscow, and to extend the condolences of the German Government to the Russian people, and especially to the families that have been affected by that insidious terrorist attack.

We would like to welcome you, Sir, to the presidency of the Council for this month and assure you of the full cooperation of the German delegation in your work. At the same time, we would like to thank the Chilean delegation for their work during their presidency in the month of January.

Our special thanks go to the Special Representative, Mr. Holkeri, for his comprehensive briefing to the Council.

Germany fully subscribes to the statement that Ireland will make later on behalf of the European Union.

I would like to begin by expressing our full support for the Special Representative and for all the efforts he has undertaken in Pristina. The Secretary-General's report to the Security Council last month

(S/2004/71) painted an accurate picture of the progress that has been made and the many tasks that remain to be addressed in Kosovo. We share, in particular, the Secretary-General's hope that positive engagement by officials of the Provisional Institutions of Self-Government on returns will translate this year into a more welcoming environment for displaced persons in all municipalities. Nothing would better demonstrate progress in achieving the standards than a significant increase in the number of returns in 2004.

The Secretary-General also notes the progress made by the Kosovo Protection Corps (KPC) towards becoming an effective civilian emergency response organization. We note with satisfaction that the KPC accepted the need to investigate allegations of criminal involvement on the part of a few members of the Corps. The KPC must free itself from any taint of criminal connections and confirm its identity as a civilian organization with no military role in Kosovo. We are confident that other donor countries will join Germany in funding the civilian training of the KPC this year so that it can continue to make progress along that path. We also urge the Provisional Institutions of Self-Government to consider granting some additional funding to the KPC from the Kosovo Consolidated Budget.

On the negative side, we share the Secretary-General's criticism of Pristina and Belgrade for failing to effectively launch a direct dialogue. In view of the urgent need for progress on such practical issues as energy, missing persons and returns, it is shameful that talks on those issues have not yet begun. The Special Representative has issued invitations to direct dialogue sessions on missing persons and energy to take place in Pristina on 18 February. This is an excellent opportunity to get the dialogue under way, and we urge Pristina and Belgrade to send to those sessions teams that are prepared to make concrete progress.

We also believe it would be extremely helpful if Belgrade took a more positive stance on the "Standards for Kosovo" document, which was presented to the Security Council in December. We are deeply disturbed that Belgrade appears to be actively discouraging Kosovo Serbs from participating in the working groups that are currently elaborating the implementation plan for the standards. The way forward this year for Kosovo will be defined by the joint standards implementation plan, which is to be presented soon. All communities must be fully engaged in this important project.

I should like to focus particularly on the economy standard. Economic growth is essential to Kosovo's future, and putting socially owned enterprises in private hands should give an important and necessary boost to the Kosovo economy. We are surprised and disappointed that officials of the Provisional Institutions of Self-Government and their representatives on the board of the Kosovo Trust Agency are not taking a more constructive approach to the privatization process. Kosovo Trust Agency managers — despite some risk that they might expose themselves to personal legal liability — are prepared to move ahead with the privatization of a considerable number of enterprises and to put additional firms up for sale in a third privatization tender. It does no one any good — least of all the unemployed workers of Kosovo — to stand by watching while such transactions are delayed by disagreements within the board of the Kosovo Trust Agency. We also hope that United Nations officials and representatives of the economic pillar of UNMIK can soon work out an effective mechanism for eliminating the personal liability risks now being borne by staff involved in privatization.

Finally, let me close by again praising the efforts of the Council of Europe to create a decentralization plan for Kosovo. If properly handled, decentralization should increase the spirit of cooperation among the various communities in Kosovo by enhancing the sense of security and empowerment that comes from having greater control over essential local decisions. Decentralization would also provide an effective mechanism for eliminating the illegal parallel Kosovo Serb institutions that are such a blight on the local administrative structure of Kosovo. We very much hope that UNMIK and the Provisional Institutions of Self-Government can take full advantage of the Council of Europe proposal and that it can make significant progress in decentralization over the next year.

The President (*spoke in Chinese*): I thank the representative of Germany for the kind words he addressed to me.

Mr. Baali (Algeria): I would like to congratulate you, Sir, on your assumption of the presidency of the Security Council and to express our gratitude to

Ambassador Muñoz and his delegation for conducting our work efficiently last month. I would also like to express my deepest condolences to the Russian delegation after the horrendous terrorist attack that took place today in Moscow. Finally, let me join other delegations in thanking and commending Mr. Holkeri for his comprehensive briefing and for his work in Kosovo.

My delegation welcomes the establishment last November of a mechanism to review the progress of the Provisional Institutions towards meeting benchmarks of the "standards before status" policy and the launch on 10 December of the "Standards for Kosovo" document, which sets out in detailed terms the standards to be achieved by Kosovo. In the same spirit, we are pleased with the transfer of responsibilities, under Chapter 5 of the Constitutional Framework, to the Provisional Institutions at the end of 2003, which constitutes a very important development in the sense that such a transfer will increase their capacity to respond to the needs of citizens in some areas. The completion of the transfer of responsibilities, however, remains an objective to attain. The meeting that took place in Vienna on 14 October 2003 to launch the dialogue between Pristina and Belgrade also represents a positive initiative that can help to create confidence and a climate conducive to constructive cooperation in areas of mutual interest. That initiative deserves to be supported.

Those developments have given new momentum to the current policy, which needs to be sustained by early adoption of the work plan for implementation of the standards. In that respect, my delegation expresses its support for the Steering Group, co-chaired by the Special Representative and by the Kosovo Prime Minister, to convene meetings of the working groups for that purpose. In the meantime, we consider that the successful completion of that task will require an inclusive process. We emphasize that greater attention should now be devoted to the obstacles preventing participation by all the parties in the process. On the other hand, my delegation is pleased to hear that some progress has been made towards consolidating the rule of law, particularly in fighting organized crime and terrorism and in increasing minority participation in Kosovo's justice system.

The significant results we have witnessed in the process of implementing resolution 1244 (1999) through the "standards before status" policy should not, however, divert us from the difficult part of the process or from the challenges that remain to be met before the general review of progress is carried out in mid-2005. In fact, the reality in Kosovo shows that the task of the United Nations Interim Administration Mission in Kosovo (UNMIK) and of the Provisional Institutions is challenging and strenuous.

Indeed, the Secretary-General's report (S/2004/71) reveals the difficulties and challenges to overcome in the months ahead. It is imperative that UNMIK and the Provisional Institutions intensify their efforts to meet the internationally endorsed standards that are prerequisites for the beginning of a political process leading to the determination of Kosovo's future status. The pledge of Kosovo's Prime Minister that "the Government will do its best to contribute to the realization of these standards" is encouraging.

Building a prosperous, democratic, multi-ethnic and tolerant Kosovo is our common goal; it is also our common responsibility. Economic prosperity in Kosovo requires, in our opinion, creating appropriate and essential conditions conducive to economic development that can generate basic infrastructure, can reduce the alarming unemployment rate — which remains between 50 and 60 per cent — and can help to improve living conditions in Kosovo.

Furthermore, building a multi-ethnic and tolerant society in the province requires promotion of the process of reconciliation and understanding, achievement of the standard on the return of refugees and internally displaced persons to their places of origin, and protection of the rights of minorities. Putting an end to acts of intimidation and violence — in particular against minorities — improving security conditions and increasing freedom of movement and active participation by all communities in the Provisional Institutions are of paramount importance.

The dismantling of parallel structures in Kosovo would also consolidate efforts aimed at easing tensions and promoting a multi-ethnic and harmonious Kosovo. Bringing the whole process to fruition will require genuine commitment on the part of all Kosovans and financial and political backing from the international community. In that regard, my delegation shares the view of the Secretary-General that UNMIK's work can continue at its current pace only if the necessary funding in crucial areas is available and only if his

appeal for the provision of financial and other assistance is met.

The President (*spoke in Chinese*): I thank the representative of Algeria for the kind words he addressed to me.

Mr. Lucas (Angola): Please accept our congratulations, Sir, on your assumption of the presidency of the Security Council. You can be assured of our full cooperation. We take this opportunity to congratulate the Chilean delegation on its successful stewardship of the Council during the month of January.

We join previous speakers in condemning, in the strongest possible terms, the terrorist attack in Moscow. We express our condolences to the families of the victims and to the Russian authorities.

We welcome Mr. Harri Holkeri and thank him for his comprehensive presentation of the Secretary-General's report (S/2004/71) on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK). My delegation would like to reaffirm once again Angola's unwavering commitment to achieving a peaceful outcome of the conflict in Kosovo. Despite difficulties, we are encouraged by positive developments in the peace process, and I should like to highlight some of them.

We welcome the progress achieved by Kosovo's Provisional Institutions towards their normal functioning at the central and local levels. We are encouraged by the improvement in the functioning of the Kosovo Assembly in the preparation of its legislation as well as by the progress made by the joint municipal administrations. However, greater efforts are required for the achievement of greater participation by ethnic minorities in this process. The number of public employees in the Provisional Institutions has been increasing but is still at an unsatisfactory level.

The security situation, while improved, is still a matter of concern. Despite the decrease in ethnically motivated crimes, several acts of violence have taken place in the last few months, while organized crime remains a great obstacle to the establishment of the rule of law.

The deployment of the Kosovo Police Service is a positive step forward in the fight against organized crime, and the Kosovo Protection Corps, as a civil emergency agency, has improved its professionalism and its capacity to come to the aid of the civilian population in various emergency situations.

My delegation also welcomes the development of social projects that aim at improving the population's quality of life. We consider that approach an important instrument for the return of refugees and displaced persons under conditions of security. Another challenge is the dialogue between Pristina and Belgrade. We urge both parties to keep their commitment to democracy and to re-establish a direct and constructive dialogue on practical issues of mutual interest.

Major challenges remain ahead, including strengthening the rule of law and improving security conditions and freedom of movement for all ethnic groups as a means of advancing towards a democratic and multi-ethnic society that is based on the respect of basic human rights, regardless of ethnic affiliations, and on the participation of all communities in the political process.

The territory's economic recovery and development are also indispensable for ensuring a sustainable normalization of Kosovo's society.

To conclude, I wish to reaffirm my delegation's confidence in UNMIK's strategy, "Standards for Kosovo", as a key instrument for achieving the full implementation of resolution 1244 (1999) and the Constitutional Framework. The task forces established in that framework can be decisive tools for the peace process's advancement and for the definition of the final political status of Kosovo.

My delegation urges all concerned in Kosovo and in the region to cooperate in a constructive manner with the Special Representative of the Secretary-General for the full implementation of resolution 1244 (1999) and the "Standards for Kosovo" policy, in order to achieve stability, prosperity and a multi-ethnic, multicultural, democratic society in Kosovo.

The President (*spoke in Chinese*): I thank the representative of Angola for the kind words he addressed to me.

Mr. Valle (Brazil): My delegation wishes to express its shock and indignation at the tragic attack perpetrated in Moscow and conveys its deep and sincere condolences to the Government and to the people of the Russian Federation through our fellow representatives in this Chamber.

First of all, Sir, I would like to congratulate you on your assumption of the presidency of the Security Council for the current month. We are fully assured that, under your guidance, our work will be conducted with great efficiency. We also take this opportunity to extend thanks to your predecessor, Ambassador Heraldo Muñoz, for the competence with which he presided over the Council during the month of January.

I would like to express appreciation to Special Representative Harry Holkeri for his comprehensive briefing and for the important work he has been carrying out as head of the United Nations Interim Administration Mission in Kosovo (UNMIK). My delegation welcomes also the presence of the Assistant Foreign Minister of Serbia and Montenegro, Mr. Zeljko Perovic, at this meeting of the Security Council.

At the outset, I would like to begin by reaffirming Brazil's continuing commitment to a stable, democratic, peaceful and multi-ethnic Kosovo. As a member of the Council in 1999, Brazil took part in the negotiations on resolution 1244 (1999) aiming at the promotion of reconciliation, stability and peace in that war-torn province. The same ideals move us today.

The latest report of the Secretary-General shows a mixed picture. A number of challenges remain on the ground, and much has yet to be achieved. However, our goals seem to be well defined and the path ahead - how to move forward – is becoming increasingly clear.

In that connection, major developments are the establishment of a mechanism to review the progress of the Provisional Institutions towards meeting the benchmarks in the standards before status policy and the launching of the "Standards for Kosovo" document.

As Mr. Holkeri pointed out in his statement of 16 December last, those standards describe a normal society; they are goals to be pursued by all – the Government, political leaders, and, above all, the people of Kosovo. Based on them, Kosovo will show that it is ready to discuss its future status.

Our delegation deems of utmost importance the full adherence of all individuals and groups to that initiative. A truly all-inclusive, multi-ethnic Kosovo can be built only by the people's decisive involvement and participation, taking advantage of every opportunity to do so. That certainly can prove difficult, but, as stated by the Secretary-General, lack of participation in the Provisional Institutions and a disengagement from the political process can only hamper real progress.

We are now looking forward to the standards implementation work plan. We expect representatives of all minorities — especially Kosovo Serb representatives — to take part in the working groups already set up.

The issue of relations between the authorities in Pristina and Belgrade is a crucial one at this stage. Both sides can certainly do more in order to provide the political process with effective momentum. The Provisional Institutions must not remain unwilling to engage in direct dialogue with Belgrade on practical issues of mutual interest. That reluctance amounts to obstruction, as it fails to foment trust and confidence between the parties. We call upon the Kosovo Government to appoint, as soon as possible, its multi-ethnic delegations for each of the four working groups, so as to provide proper follow-up to the Vienna meeting of 14 October last.

Belgrade, in turn, should be willing to compromise in its positions regarding the "Standards for Kosovo" document, and the Kosovo Serb representatives should take part in the discussions about their implementation.

Authorities in Belgrade can play a positive role on the issue of Serbian-run parallel structures. The existence of those structures, despite the establishment of official institutions in the same areas, is clearly detrimental to the effective rule of law throughout the province and to intercommunal relations.

We welcome the reports of a renewed atmosphere of cooperation between UNMIK and the Kosovo Government, and commend the completion, at the end of 2003, of the transfer of responsibilities, under chapter 5 of the Constitutional Framework, from UNMIK to the Provisional Institutions.

The work of the Government and of the Assembly shows the rising level of maturity of those institutions in the last months. This is reflected in the adoption of the 2004 budget, which was promulgated by Mr. Holkeri last December. It should be acknowledged that that budget is the first to be prepared and managed by the Kosovo Minister of Finance and Economy.

Yet the Assembly has also reverted to the practice of adopting declarations and decisions in areas beyond

its responsibilities. That trend should be firmly avoided. Municipalities' capacities also seem to be improving; yet that evolution stands to be questioned as long as their decisions fail, as they often do, to reflect the views of civil society and minorities. We encourage them to adopt a more transparent attitude and porous relations towards their constituencies.

As concerns the Assembly elections scheduled for this year, we welcome the establishment of the Central Election Commission secretariat, as well as the support being given to the process by the Organization for Security and Cooperation in Europe (OSCE). We expect UNMIK to present shortly the regulatory framework for the elections, based on the recommendations formulated by the Elections Working Group.

Ethnically motivated crimes and other acts of coercion and discrimination regarding minorities in Kosovo are still a matter of concern for my delegation, despite the stabilizing trend in the crime situation since 1999, as stated in the report. The means necessary to counter such incidents are clear and have been reiterated many times to the Kosovar central and local authorities by the Council, the Secretary-General and the UNMIK leadership itself. First, firm determination should be shown in investigating responsibilities and combating impunity; and, secondly, an official policy of tolerance and coexistence towards minority groups should be promoted that not only encompasses their greater participation in decision-making processes and fairer access to civil service positions, including the judicial system and police, but also supports mixed-ethnicity institutions, especially schools. Only affirmative steps designed to bring people together rather than alienating them can overcome the hatreds of the past. Improvements such as those can certainly give a significant impulse to the return of minorities to Kosovo. It is disquieting that the return rate remains very slow, with less than 4,000 people having returned in 2003.

In parallel, we commend UNMIK for pursuing a regional approach to combating organized crime, involving Montenegro, Albania and the former Yugoslav Republic of Macedonia. Furthermore, cooperation between Serbian police and UNMIK seems to be improving, thereby allowing enforced action against criminals. Our delegation welcomes the efforts to root out Kosovo Protection Corps (KPC) members with links to extremist organizations and organized crime. The work of the KPC as a civil emergency agency continues to improve. It intervenes 30 times a month on average in various emergencies, including forest fires and floods. These are encouraging developments.

Kosovo remains one of the poorest economies in the region. Although the projected rate of annual growth is around 4.5 per cent, that rate is lower than that of previous years, mainly due to the withdrawal of international donors, according to the Secretary-General's report. Therefore, we would stress the centrality of foreign assistance in maintaining Kosovo's current growth and welfare levels. We call upon the international donor community to keep supporting the province.

Sustainable development, however, will depend on the capacity of Kosovars themselves to improve conditions for investment. In that connection, we expect the Provisional Institutions to shoulder their responsibilities. Incentives include even such basic features as a transparent, fair and effective Government and a society in which every individual is respected. Economic reform depends not only on regulatory laws, which are important, but also on an effective change of mentality.

Finally, I would like to commend the work of UNMIK, as well as of its partners — the European Union and the OSCE — and to endorse the Secretary-General's appeal for financial and other assistance in the many valuable tasks being carried out on the ground. My country is committed to the full implementation of resolution 1244 (1999) and the "standards before status" policy as the only reasonable choice for a multi-ethnic, democratic and peaceful Kosovo.

The President (*spoke in Chinese*): I thank the representative of Brazil for his kind words addressed to me.

Mrs. D'Achon (France) (spoke in French): On behalf of my delegation, Sir, I congratulate you on your assumption of the presidency of the Council. We also thank the delegation of Chile for its excellent work in January.

France sincerely joins in your words of condolence to the Russian delegation with respect to this morning's attack in Moscow.

I also wish to welcome the presence at this meeting of the Assistant Minister for Foreign Affairs of Serbia and Montenegro, Mr. Perovic.

In my turn, I thank Mr. Holkeri for his comments, which usefully complement the Secretary-General's report. France fully endorses the statement shortly to be made by the Irish presidency of the European Union. I will therefore limit my statement to a few brief remarks.

First, we feel that the offer of a mechanism to review progress in the implementation of standards has given positive momentum to the cooperation of the Provisional Institutions of Self-Government of Kosovo with the international community, which we should welcome. Such good prospects, however, must now be reflected in concrete action. We are well aware that the elaboration of the plan to implement the standards will require considerable work. We therefore support all the efforts of the Special Representative to ensure that the plan be made available as soon as possible. Close consultation with the Provisional Institutions and Belgrade is desirable. That being the case, it is clear that the length of such consultations will reduce the time available to the Provisional Institutions to implement the standards prior to the mid-2005 comprehensive review. We have every confidence that Mr. Holkeri will strike an appropriate balance.

Secondly, the implementation plan will be an important document. It will provide a reference point for measuring progress made by the Provisional Institutions towards the implementation of the standards. With the issuance of the Secretary-General's next report, and every quarter thereafter, we will be able, in full transparency and together, to assess the benchmarks attained. This is a matter of concretely implementing the "standards before status" policy. The policy, supported by the international community, consists of requiring that the Provisional Institutions, and they alone, achieve progress before the issue of status can be addressed. The plan must therefore be clearly addressed to the Provisional Institutions and to them alone. Any ambiguity could blur our common message. On that point, too, Mr. Holkeri has our full trust.

Thirdly, I wish to stress our hope that the quarterly progress reviews will confirm the positive momentum noted since November. Steady progress should enable us to look forward with some optimism to the comprehensive review planned for the second half of 2005. Clearly, however, the comprehensive review will not signal the automatic launching of discussions on status. I believe that we all agree in reaffirming that there is no automatic trigger of the date for beginning status discussions. Only sustained and steady progress will allow us to decide when the final status process should begin.

Finally, I conclude by endorsing the Secretary-General's words of encouragement to Belgrade and Pristina in his report. It is important that Serbia and Montenegro and the Kosovo Serbs promptly contribute to finalizing the plan to implement the standards. Their current disengagement can only harm their own interests. We heartily encourage them to participate with Mr. Holkeri in the process launched by the international community. For their part, the Provisional Institutions must henceforth confirm their commitment to implementing the standards. One clear signal of that would be their participation in direct dialogue with Belgrade, which not only is one of the eight standards – as several speakers before me have underscored – but would also enhance many real aspects of the daily lives of the people of Kosovo. We therefore hope that Pristina will soon send a positive signal in that area.

The President (*spoke in Chinese*): I thank the representative of France for her kind words addressed to me.

Mr. Baja (Philippines): Along with other members of the Council, we congratulate you, Sir, on your assumption of the presidency for this month and commit our cooperation and support to you and to your presidency.

We also congratulate Ambassador Muñoz and the Chilean delegation on a successful presidency last month.

We thank the Secretary-General for his recent report and his Special Representative, Ambassador Harri Holkeri, for his informative briefing to us today.

We also join other Council members in expressing outrage at and condemnation of the suicide bombing in Moscow today and extend our condolences to the families of the victims and to the Government and people of the Russian Federation. Of course, these expressions would acquire added feeling and meaning if the international community were able to work out measures to pre-empt such terrorist acts.

Being the thirteenth speaker on this agenda item and speaking after France and Brazil does not leave us with much to say over and above what others have said already. Nevertheless, we would like to offer some observations and ideas.

First, the United Nations Interim Administration Mission in Kosovo (UNMIK) is no ordinary peacekeeping mission. Capacity-building and development are important components of the mission. Here, one of the objectives of Security Council resolution 1244 (1999) is to build autonomous institutions of self-government and transfer administrative responsibility to those institutions.

Secondly, we welcome the positive developments that have taken place in Kosovo in the past several months. The most encouraging sign of progress is the renewed atmosphere of cooperation between UNMIK and the Kosovo Government, resulting from the launching in December of the "Standards for Kosovo" formula and the announcement, a month earlier, of a mechanism that would review Pristina's implementation of the standards. We also note other positive developments in such areas as legislation, at both the central and local levels of self-government, as well as the transfer of non-reserved responsibilities to the Provisional Institutions of self-government. Minority returns are also on the rise. The other day, UNMIK and the Danish Refugee Council were reported to have made possible the safe and successful return of four Kosovo Serbs four years after they fled their homes in Pristina. Nevertheless, much more needs to be done.

Third, the report introduced by the Special Representative of the Secretary-General (S/2004/71) shows that much more work is needed to reach the benchmarks in preparation for any form of final status for Kosovo. These areas include the judiciary, the police service, the penal system and the rights of minorities and displaced persons. Paragraphs 53 to 55 of the report mention that parallel administrative structures as well as lack of participation in the Provisional Institutions and of engagement in the political process by local leaders and institutions hinder real progress. All delegations have mentioned these parallel structures, and we would like to know how extensive these parallel structures are, what their impact is on the political process, how they can be dismantled and how to engage the local leaders and institutions in the political process.

Fourthly, we welcome the statement by the Special Representative of the Secretary-General that efforts will be made to open dialogue — or reopen dialogue — between Belgrade and Pristina. The report also said that Belgrade still finds the "Standards for Kosovo" document unacceptable and was of the view that the consultations had not been sufficient. It also stated that the Kosovo Serb leadership had distanced itself from the document, as had some Albanian leaders. Why is this? UNMIK is more that four years old and has had two Special Representatives of the Secretary-General. Since much has been improved there, this issue of an impasse should not be allowed to sit on the wall of distrust and should, like Humpty-Dumpty, have a great fall. Such a fall would have positive implications, not only for Kosovo, but for the entire region. We suggest that, in addition to the working groups, focal points of contact would promote confidence-building measures and cooperation on issues of common concern. I recall that when the Association of South-East Asian Nations (ASEAN) and China were negotiating a code of conduct for the South China Sea, focal points were very useful.

Fifthly, as of 31 December 2003, we have 55 Filipinos in the UNMIK police. We would like to know how the UNMIK police is ensuring peace and stability and combating organized crime. As the representative of the United Kingdom stated, the actors in the area — the politicians, including UNMIK, the Kosovo Force and the Provisional Institutions of Self-Government and the diplomatic officers — need to develop greater cooperation and partnership amongst themselves. The Special Representative of the Secretary-General exercises praetorian authority over 2 significant number of sectors of Government and therefore plays a key role in ensuring a safe and secure environment in which institutions can function. At the end of the day, the United Nations is legally responsible for what happens in Kosovo. At the end of the day, the credibility of such future peacekeeping missions of a similar nature depends on a successful UNMIK.

Finally, the international community must remain engaged in Kosovo and committed to its international and internal development. The international civil and military commitment to Kosovo should be maintained for as long as the internal security situation requires. Kosovo needs the strong and sustained political will and commitment of the actors on the issue and the full engagement and support of the international

community, particularly on ways to implement the standards or reach the benchmarks. In this way, we may no longer have to avoid any longer the discussion of the issue of final status for Kosovo.

The President (*spoke in Chinese*): I thank the representative of the Philippines for the kind words he addressed to me.

Mr. Motoc (Romania): We are shocked and appalled by the tragic news coming from Moscow regarding the horrific terrorist attack in the Russian capital's subway. We strongly condemn it, and I wish to express our deepest condolences to the bereaved families and to the Russian people.

I would like to join my colleagues in extending our appreciation to Chile for its busy and successful presidency and to wish the new Chinese presidency the greatest success. Let me also say that Romania associates itself with the statement to be delivered shortly on behalf of the European Union by the Irish representative, Ambassador Richard Ryan.

I too would like to thank Special Representative Holkeri for his thorough report. Romania appreciates the efforts he has made in Kosovo since taking up his duties, in particular those related to the initiation of dialogue between Belgrade and Pristina on practical issues of common concern and to the setting up of a comprehensive approach to the "standards before status" policy. A decisive period lies ahead for Kosovo. We would like to assure Mr. Holkeri of our full support and of our readiness to contribute to addressing the coming challenges.

I am pleased also to welcome the presence of Assistant Foreign Minister Perović at this meeting.

Romania continues to fully support resolution 1244 (1999) and its goal of a democratic multi-ethnic Kosovo. In this framework, Romania keenly supports the genuine implementation of standards in Kosovo. The Security Council should give no consideration to any future status for the province until the standards spelled out by the international community become effective in Kosovo. The standards are not mere technical benchmarks; they are the measure of Kosovo's transformation into an area offering safety and opportunity to all its inhabitants, an area that is no longer a challenge to regional stability. What is at stake here is not only the status of a province, but the status of each and every member of its population.

In fact, we believe that no status will prove to be a solution in Kosovo unless society there is prepared to live by the rules of democracy, law and ethnic tolerance, all the more so since societies in the surrounding region embrace those values and are steadily working to consolidate them. Nobody can afford to leave Kosovo society behind; the prime responsibility in this respect lies with the provisional authorities of the province.

Romania looks forward to the presentation, as soon as possible, of the action plan for standards implementation. Of course, standards have already started to be applied in Kosovo, but we will take the action plan as a concrete expression of the provisional authorities' commitment to the process and to their underlying political responsibilities.

In saying this, I would like to add that there should be, from the very start, a clear delimitation of responsibilities between the Provisional Institutions and the United Nations Interim Administration Mission in Kosovo (UNMIK). In the end, only the Provisional Institutions and the people of Kosovo will have to measure up to the expectations of the Security Council and of the international community.

Romania stands ready to assist the process of standards implementation. We also believe that the European Union's Stabilization and Association Process Tracking Mechanism has a decisive role as concerns the "standards before status" policy.

Following the Special Representative's report on that matter, we urge the Provisional Authorities to give proper and equal consideration to all areas of the action plan. We would also like to strongly encourage the Kosovo Serbs to take part in the formulation and implementation of the action plan. What this process is all about is Kosovo's future, in which they have a share of their own. At this point, let me add — drawing on from Romania's experience of a transition — that it is always important for every minority to voice its concerns and proposals, and that every minority voice should be heard and be taken into account.

By the middle of next year, the Security Council will have a better picture of where Kosovo's society stands. We will not only look for a positive trend, which we already ascertain in some areas; we will look for that society to be in a sustainable condition, in which reconciliation plays a meaningful part. We will need to know whether reconciliation is possible. And

we will need to see whether Kosovo's society is functional by itself and in relation to its neighbours. If not, we will have to go back to work.

Key issues with regard to premises for reconciliation are direct dialogue between Belgrade and Pristina on practical issues of mutual interest, and secure and sustainable returns. The preservation of cultural heritage and religious sites is also of outstanding symbolic importance. We can never stress enough that this aspect will have a real impact on adjusting the mentality and the psychological mood of the populations involved.

The direct dialogue between Belgrade and Pristina is an absolute priority for implementing standards and for the prospect of reconciliation. Special attention should be paid by all parties involved to ensuring the effective functioning of the working groups within the framework of the direct dialogue. We also express our hope that a Serbian Government will be formed shortly and that it will continue to deliver on its responsibilities under the direct dialogue.

We believe that participation in that dialogue and the subsequent measures will prove — if given the proper chance — that reconciliation is an achievable goal. As a country of the region and as Chairman of the South-East European Cooperation Process for the period 2004-2005, Romania stands ready to contribute its share to fostering this process.

One final point I would like to make is about organized crime. This peril is one of the most competitive forces working against stability and peace and against plans for the democratic, multi-ethnic future of Kosovo. We cannot allow private interests to hinder the efforts of whole societies and States. The countries of South-East Europe have pledged cooperation against organized crime, and results can already be seen. There is a need for more operational coordination with UNMIK. And the Security Council should be kept informed of this important matter.

Since you, Ambassador Wang Guangya, have returned to the Chair, I would like to reiterate what I said at the beginning of my statement, wishing the best of success to your presidency and expressing our full trust that this success will be achieved under your able and proven guidance.

The President (*spoke in Chinese*): I thank the representative of Romania for his kind words addressed to me.

I shall now make a statement in my capacity as the representative of China.

I associate myself with other colleagues in thanking Mr. Holkeri for his comprehensive briefing on the situation in Kosovo and on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK). I also thank the Secretary-General for his report (S/2004/71), which is rich in detail.

We have consistently held the view that Security Council resolution 1244 (1999) provides the basis for the settlement of the question of Kosovo and that the "standards before status" policy is the guiding principle for the settlement of this question. We welcome the establishment of a review mechanism in that regard. We believe that it will help advance the political process in Kosovo. We hope that the parties concerned — the Provisional Institutions of Self-Government and the Kosovo Serbs in particular — will actively cooperate with UNMIK and assist Mr. Holkeri in expeditiously developing a detailed work plan for the implementation of the standards for Kosovo.

We note that there has recently been a decrease in crime in Kosovo and that the rule of law has been strengthened. On the other hand, the economic situation in Kosovo remains grave, and the living conditions of ethnic minorities in particular need improvement. We hope that the Kosovo Provisional Institutions of Self-Government and the Government of Serbia and Montenegro will soon resume their direct dialogue on questions such as energy, transportation, missing persons and refugee returns; we hope that the talks will lead to concrete results as soon as possible and create conditions for multi-ethnic harmony in Kosovo so that its people can live and work in peace and contentment.

The comprehensive settlement of the question of Kosovo is an arduous task and a long process. The parties concerned should redouble their efforts, and the international community should continue its engagement and support with respect to this question. As always, China will support the efforts undertaken by the Special Representative of the Secretary-General, Mr. Holkeri, and by UNMIK.

I resume my functions as President of the Council.

I welcome the Assistant Minister for Foreign Affairs of Serbia and Montenegro, and I give him the floor.

Mr. Perović (Serbia and Montenegro): Allow me to begin by joining previous speakers in expressing my Government's deepest condemnation of the terrorist attack in Moscow.

Allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council for the current month and to thank you for convening this important meeting on the implementation of Security Council resolution 1244 (1999). I wish to thank the Secretary-General for his report (S/2004/71) on recent developments in the Kosovo and Metohija province of my country. Also, I thank Mr. Holkeri for his comprehensive briefing, to which my delegation listened with great attention and interest.

What we have learned from the Secretary-General's report regarding the current state of the implementation of the original standards for Kosovo and Metohija raises serious concerns. Allow me to note just the following examples.

The Provisional Institutions have continued to adopt declarations and decisions that are clearly outside their responsibility, prompting the interventions of the Special Representative of the Secretary-General to annul such acts. Simultaneously, however, the United Nations Interim Administration Mission in Kosovo (UNMIK) is seeking to involve the Provisional Institutions of Self-Government in an advisory and consultative capacity within specific areas reserved for the Special Representative under chapter 8 of the Constitutional Framework. We find this difficult to understand in the light of the aforementioned repeated infringements by the Provisional Institutions on the Special Representative's powers. All this is taking place in an environment where non-Albanian communities are denied any meaningful participation in political life, to the extent that not even basic access to documentation in their mother tongues is ensured.

In the area of the rule of law, according to the Secretary-General's report, high-profile crimes against members of the Kosovo Serb community decreased significantly in the past three months. However, the report fails to provide information of any of the perpetrators of previous such crimes having been apprehended and brought to justice. This inevitably leads us to the conclusion that the culture of impunity regarding ethnically motivated crimes against Serbs in Kosovo and Metohija is still intact.

The report states that the rate of minority returns continues to increase, supporting this finding with the data that during 2003, 1,487 Kosovo Serbs returned to communities where they are in the minority. Comparing this figure with the number of internally displaced persons still in Serbia proper, which remains approximately 250,000, it is not difficult to conclude that it will take many, many years for all displaced persons to return to Kosovo and Metohija, as required by Security Council resolution 1244 (1999).

Concerning other original standards, the report describes progress mainly as a slight improvement or an improvement with many remaining problems, or uses similar, ambiguous terms. In the meantime, incidents continue at various levels with alarming regularity. The Council is probably aware of the attack in Djakovica, on 21 January, on a KFOR vehicle transporting priests and a German television crew that was filming the remains of the Orthodox temple of the Holy Trinity there. Following that incident, the monastery priests have been denied further KFOR escorts, and their living conditions have considerably deteriorated in other respects. If the only priests in the area should be forced to leave as a result, it will be a heavy blow to the local Serbs and will further discourage the possibility of returns.

We were interested to hear the recent statement by the Deputy Special Representative, Mr. Cady, at the Stockholm international forum on the prevention of genocide. We share his views, as reported in the media, that in Kosovo and Metohija the victims became the perpetrators; that practically all ethnic Albanians went back in a matter of weeks after the establishment of the peacekeeping presence, whereas more than four years later most of the Serbs who fled have not returned; and that in order for reconciliation to occur, no crime can remain unpunished, whoever the victim or the perpetrator.

My Government also subscribes to Mr. Cady's conclusion that the main challenge for UNMIK is to create stable conditions for a multi-ethnic Kosovo, not only to prevent ethnic cleansing from occurring again when the mandate of the international mission comes to

an end, but also to ensure normal development and prosperity for all communities, which must be free from harassment and have equal access to institutions and an impartial police and justice system.

Clearly, the record of the Provisional Institutions in Kosovo and Metohija remains poor in the main. Some may argue — as UNMIK often does — that such a record is understandable in view of their limited experience, and that their performance is improving slightly and gradually.

The underlying problem, however, is that the Provisional Institutions do not want — and UNMIK so far has not succeeded in creating — conditions for the meaningful involvement of the Kosovo Serb community in the political life of the province. This also applies to the process of drafting the standards implementation plan, which was expected to be ready by now and to have been presented today in the Council. Because, based on their experience with the Provisional Institutions of Self-Government, Serb representatives do not see how they can in any way influence this document, they do not participate in the working groups drafting the plan. Unfortunately, UNMIK has not found a way to make this process all-inclusive. Hence, it is already apparent that the plan will serve to further divide the communities in Kosovo and Metohija and their political representatives, instead of bringing them at least at little closer.

Again, UNMIK is complaining about the so-called parallel institutions and criticizing my Government for their existence. We therefore once again have to reiterate that the Provisional Institutions of Self-Government and UNMIK have not provided alternatives to the Serbian community.

UNMIK has also failed so far to persuade the Provisional Institutions of Self-Government to move forward with regard to the Belgrade-Pristina dialogue. My Government has repeatedly expressed its readiness to begin this dialogue within the envisaged four working groups. There were — and there are — no ambiguities in that respect. It is clear which side is delaying the process. It is therefore unfair, to say the least, to imply that problems concerning the dialogue exist on both sides, as the report suggests.

As for relations between my Government and UNMIK, we would like to see the Common Document of 5 November 2001 implemented and the activities of the high-level working group revived. This is an important element in the overall context of the implementation of resolution 1244 (1999) and should not be marginalized, as is now the case.

Although the standards implementation plan has not yet been finalized, we are already steadily moving towards a tentative date for the comprehensive review of the standards in mid-2005. Then — or at a somewhat later date, as the Council may determine — talks about a political solution for Kosovo and Metohija will commence in one form or another. Until then, if any sustainable solution is to be found, every effort should be made to create conditions that will allow the representatives of the two major communities and all other communities in the province to talk to each other about their present and their future. They are too far away from that point now. Currently, all the political, economic and social advantages belong only to one community. The other side has none, sees very little hope and is becoming increasingly desperate.

UNMIK must take this reality into serious consideration and take measures to rectify this huge imbalance. If not, the end result will be a failure that nobody can afford.

The President (*spoke in Chinese*): The next speaker inscribed on my list is the representative of Ireland. I invite him to take a seat at the Council table and to make his statement.

Mr. Ryan (Ireland): I would like first to join previous speakers in expressing our shock and strong condemnation of the bomb attack in Moscow this morning. I express our deep condolences to the Government and the people of the Russian Federation.

I have the honour to speak on behalf of the European Union (EU). The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria, Romania and Turkey and the European Free Trade Association countries Iceland, Liechtenstein and Norway declare that they align themselves with this statement.

As this is the first time that I have taken the floor under your presidency of the Security Council, Sir, please allow me to congratulate you on the assumption of your duties. I would also like to extend my congratulations to the previous President, Ambassador Muñoz of Chile, for the excellent manner in which he steered the Council's deliberations in January.

The Secretary-General's report, and Mr. Holkeri's comprehensive and cogent presentation, clearly set out the progress that has been achieved in Kosovo so far, as well as the many challenges that remain to be tackled.

I would like to underscore the European Union's strong support for Special Representative Holkeri in his task of implementing in full Security Council resolution 1244 (1999), and UNMIK's policy of "standards before status". These remain the foundation of the international community's commitment to Kosovo. We urge all the parties, including those in the region, to cooperate fully with the Special Representative in a constructive and committed manner. The European Union has a long-term commitment to Kosovo. We look forward to close cooperation with the United Nations with a view to ensuring that United Nations-led "Standards for Kosovo" process and the EU-initiated process to prepare Kosovo for further moves towards the Union are mutually reinforcing.

The European Union welcomes the progress which has been achieved in such areas as the rule of law, freedom of movement, returns and minority rights. While this progress is encouraging, it is clear that successful implementation of "Standards for Kosovo" requires further effort on the part of all the parties.

In particular, it needs the political will and genuine commitment of Kosovo's leaders. All of Kosovo's leaders must uphold the practical application of the values of multi-ethnicity, tolerance and equal rights for all communities. As the Secretary-General has noted in his report, the way forward lies in making progress on the benchmarks set out in the "Standards for Kosovo" document. The focus should be on improving the daily lives of all the people of Kosovo. Belgrade must play its part here, too.

The establishment of a mechanism to measure the progress made in meeting the standards is a significant development. The "Standards for Kosovo" document is an essential first step, and the task now is to build on this foundation. The EU Commission's annual reviews could be useful here in determining a common international assessment of the progress made. Other EU instruments, such as the European Partnerships, could also play a role by ensuring that the provisional Government allocates financial and personnel resources to meet the requirements in the "Standards for Kosovo" process.

The immediate priority is the completion of the implementation work plan, and we look forward to its early submission. We strongly urge all parties, including the Kosovo Serbs, to engage fully in the process of finalizing the "standards before status" implementation plan. We also urge the authorities in Belgrade to encourage Kosovo Serb participation in this process. A first opportunity for an overall review of progress made could occur in mid-2005, or earlier if sufficient movement has taken place.

Although the submission of the work plan will be an important step forward, the process of implementing the standards is not dependent on the plan's completion. For their part, the Provisional Institutions must meet their responsibility for making coherent and sustainable progress on implementing the standards. We note that the transfer of non-reserved responsibilities under Chapter 5 of the Constitutional Framework is largely complete. The Provisional Institutions must now concentrate on implementing those responsibilities fully and fairly, in accordance with Security Council resolution 1244 (1999) and the Constitutional Framework.

It is a matter of concern, as the Secretary-General has pointed out, that not all ethnic communities participate meaningfully in the Provisional Institutions: the presidency, the Government and the Kosovo Assembly. The Assembly must take into account legitimate minority concerns in the legislative process, and it should be scrupulously careful not to overstep its competencies. Likewise, illegal parallel administrative structures in Kosovo damage the cause of a multi-ethnic society. Support for parallel structures should cease, and an alternative to them must be found to ensure that all Kosovo's citizens get the same levels of social and administrative services.

Serbia and Montenegro plays a crucial role in efforts to stabilize the region and with respect to the implementation of standards and the future status of Kosovo. It is in the interest of all parties to facilitate their commitment and contribution.

The European Union believes that the direct dialogue initiated on 14 October 2003 in Vienna is a central plank of the "Standards for Kosovo" policy. All parties concerned need to engage constructively in the working groups as the follow-up to the Vienna

meeting. Multi-ethnic delegations to the four working groups of the political dialogue should be established by the Provisional Institutions as soon as possible. Delays in starting the working groups are detrimental to progress on the standards.

The European Union is committed to the goal of a stable, multi-ethnic and democratic Kosovo within its place in Europe. Last November, the Council of Ministers for Foreign Affairs reaffirmed the European Union's readiness to assist in the achievement of that objective, in the context of the full implementation of Security Council resolution 1244 (1999) and of "Standards for Kosovo". In that spirit, ministers mandated High Representative Solana to prepare a report in close coordination with the Commission and in cooperation with Special Representative Holkeri. That report should explore ways and means to further enhance the European Union's contribution to the implementation of resolution 1244 (1999), taking full account of the Stabilization and Association Process Tracking Mechanism and of the importance of effective implementation of the standards implementation plan. European Union foreign ministers are scheduled to consider the report later this month.

The European Union is firmly committed to supporting Kosovo's economic reconstruction and development. In his report the Secretary-General sets out the scale of the task of tackling unemployment and infrastructural deficits and of creating a positive climate for investment. Economic progress is essential for the creation of a tolerant, multi-ethnic and democratic Kosovo.

Through the EU pillar of UNMIK, Pillar IV, the European Union is assisting in the revitalization of economic activity in Kosovo with a view to the creation of the conditions for a modern, open-market economy. The aim is to establish a sustainable private sector, one that will create employment. The long-term perspective is to bring Kosovo's legislative and administrative frameworks closer to European standards.

The European Agency for Reconstruction continues to finance and manage sustainable reconstruction and development programmes in Kosovo under the guidance of the European Commission. Future progress will depend on structural reforms in Kosovo, including legislative and institutional efforts, as well as sound fiscal and budget policies. The European Union is disturbed that local members are boycotting Kosovo Trust Agency board meetings, thus preventing the privatization of socially owned enterprises that are ready for transfer to successful bidders. Also, we hope that the issue of liability of Agency officials can be resolved quickly. Successful privatization will be a crucial factor for economic growth and development. We urge the Provisional Institutions to engage constructively in that process.

Finally, as the Secretary-General notes, UNMIK's work can continue only if the necessary funding in crucial areas is available. For its part, the European Union is the largest donor of financial support in Kosovo, and we encourage others to consider as a priority how they can deepen their assistance to Kosovo in the various areas set out in the Secretary-General's report.

The President (*spoke in Chinese*): I thank the representative of Ireland for the kind words he addressed to me.

The next speaker inscribed on my list is the representative of Albania. I invite him to take a seat at the Council table and to make his statement.

Mr. Nesho (Albania): At the outset, on behalf of my delegation, I would like to express to the people and the Government of the Russian Federation our sympathy and our most sincere condolences with respect to the terrorist acts that took place earlier today in Moscow. We strongly condemn such brutal terrorist attacks.

I would like to join other delegations in expressing our appreciation to the Secretary-General for his report and in thanking Mr. Holkeri, Special Representative of the Secretary-General, for his comprehensive briefing. We are pleased to welcome him today and to commend him for his work. We will continue to support his efforts and those of the international community in this new and important phase of their mission in Kosovo. We are certain that Mr. Holkeri's leadership will help to maintain the momentum and the positive trend of significant progress that Kosovo has made in the past four years.

My Government welcomes the transfer of non-reserved competences to the Provisional Institutions, in conformity with Chapter 5 of the Constitutional Framework. That is a good step forward, which should

be followed by further and closer cooperation between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the local institutions. Better participation by the institutions in the decision-making process and better policy coordination will be beneficial to both parties. In particular, those elements will improve the institutions' effectiveness and their capacity to respond to the needs of Kosovo's citizens.

The Albanian Government reaffirms its support for the "Standards for Kosovo" document, which bolsters the efforts of the international community to build a democratic society and a stable Kosovo through the implementation of the standards. The standards implementation plan, which clearly defines the time frame for the progress to be achieved, is also a most welcome development. We are confident and optimistic that it will help Kosovo to make progress as soon as possible towards a final resolution of its status. In that context, we regret to emphasize the lack of participation and cooperation by Serb minorities in the various working groups for the preparation of the implementation plan. Their presence and participation are not only desirable and important, but also necessary in building a democratic, multi-ethnic society.

Albania praises the first steps already taken in the dialogue between Pristina and Belgrade on technical matters. The Albanian Government will continue to bring its influence to bear on the political and institutional actors in Kosovo and to encourage them to continue their cooperation and to participate in discussions at the level of the technical working groups. We consider this a productive way of resolving the problems and practical issues faced by the people of both countries in their daily lives. On the other hand, we deem unacceptable and damaging any attempt that goes beyond the stabilizing framework of the dialogue.

Albania believes that the continuing existence of parallel structures in Kosovo is a source of very serious concern. They represent a serious impediment to the strengthening of legitimate local institutions and to the exercise of their full jurisdiction, and to the continuity of the democratic process in Kosovo.

The arrest warrants issued by such institutions, as parallel courts, against Kosovar leaders are unacceptable acts which can only cause uncertainty among the people of Kosovo and do harm to the process of building a multi-ethnic society there.

We consider well thought out and reasonable UNMIK's position, following the December elections in Serbia, of not allowing officials of Kosovo institutions simultaneously to hold a post in Kosovo and have a mandate in Serbia.

We are of the opinion that the progress made in economic and structural reform in Kosovo is of great importance for fostering stability and development within that society. In that context, we support the resumption of the process of privatization as a key element with a great impact on economic development.

We all agree that 2004 is going to be a challenging year for Kosovo. It is our conviction that the trend of change and constant progress will continue; that democratic institutions and the rule of law will function more effectively; and that the important process of returns, representation and participation, based on the current achievements and willingness of the Kosovo leadership, will continue and be successful.

Given the progress achieved and the positive efforts of the international community, it is our conviction that Kosovo will increasingly share the common aspiration for integration into the region and into the European family, to which, geographically, historically and culturally, it belongs.

The President (*spoke in Chinese*): I thank the representative of Albania for the kind words he addressed to me.

I now give the floor to Mr. Holkeri to respond to comments.

Mr. Holkeri: I would like to express my profound appreciation for the support we have received today for the United Nations Interim Administration Mission in Kosovo (UNMIK) as well as for the high assessment of the activities of the Mission. Without the Council's strong support, we would never have achieved the progress that has been made so far, and we would not have been able to complete our task. I thank the Council for this. I am particularly grateful for the support that the Council has provided for the standards implementation process.

I shall now endeavour to respond to Council members' questions.

The Permanent Representative of Pakistan and other members of the Council justifiably urged UNMIK

to speed up the drawing up of the implementation work plan. Let me say that we are well aware of the urgency of producing that document expediently. UNMIK, in consultation with the Provisional Institutions, is working on this intensively. We need to have an effective document of high quality, and this requires a very thorough effort. We strongly hope to be able to present the work plan to the Council very soon.

The representative of Benin, among others, raised the issue of whether there was a study on the interaction between the Kosovo Police Service and the Kosovo Protection Corps (KPC). As the Council is aware, the responsibility of the KPC is to prevent and deal with the consequences of civil emergencies. In that respect, its activities are supported by the Kosovo Police Service. That was the case, for example, during the 2002 earthquake in Gnjilane and the fire in Kosovo's so-called "B" power station. The organizations occasionally share the use of training facilities. We have not come across any cases of relations of a criminal nature between the two organizations.

As concerns the observation made by the Russian representative, who stressed the crucial importance of upholding the standards, allow me to assure the Council that watering down the standards is not an option — not for anyone, and especially not for me. The implementation plan will spell out the actions needed to reach standards and will not in any way alter the standards as already announced in the "Standards for Kosovo" document.

As regards the comment made by the representative of Spain regarding the deadline for the production of the implementation plan, let me make clear that work to implement the standards is already ongoing; what is missing is the plan on paper.

Nevertheless, I understand the Council's desire to see a work plan as quickly as possible. I share that desire, and intensive work in this respect is ongoing in Kosovo.

I hope also that it is understood that the best way forward is partnership between UNMIK and the Provisional Institutions. The reality is that we share a Government in Kosovo, and I think it right that we should work together to produce the implementation plan.

The representative of France specifically highlighted the responsibility of the Provisional Institutions for the implementation of standards. I should like to emphasize that, while standards were developed to assess the progress of the institutions, implementation will be a joint UNMIK-Provisional Institutions of Self-Government exercise, not least because a clear separation exists between the reserved and transferred responsibilities, both of which are essential for the progress of Kosovo. At the same time, within the implementation work plan, there will be a clear separation of responsibilities between UNMIK and the Provisional Institutions. This will also allow us effectively to monitor their progress.

I turn now to the comment made by the representative of Serbia and Montenegro. I have made careful note of the concerns expressed by him. May I say that those concerns are being addressed on the ground in Kosovo on a daily basis. We would welcome constructive cooperation from Belgrade in dealing with concrete issues that affect the Kosovo Serb community, not least its participation in the standards implementation process. On that point, it is simply unjustified to argue that Kosovo Serb concerns will be ignored in the production of the standards implementation work plan. The Provisional Institutions and I have repeatedly made it clear that Kosovo Serbs are welcome in all the implementation groups and we shall ensure that full and fair account is taken of their concerns. I repeat that reassurance here today. I would ask the representative of Serbia and Montenegro to convey that to Belgrade, along with the clear wish of the Council, expressed today, that they should participate.

I very much welcome the confirmation by the representative of Serbia and Montenegro of Belgrade's intention to engage in direct dialogue with Pristina. I really do hope that this will allow the talks to start without delay.

Allow me once again to thank all Council members for their support and I do hope that I, or somebody, will be back before them very soon, presenting the implementation working plan so that we can continue our work and target the real outcome for mid-2005.

The President (*spoke in Chinese*): There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.05 p.m.